



The Town of Fenwick Island

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Public Hearing- Request to rearrange the property line between Lot 403 (1-34 23.16 59.00) and Lot 404 (1-34 23.12 60.00) also known as 903 Wright Street and 901 Wright Street, respectively, located with the incorporated limits of the Town. Council Member Weistling excused himself due to a conflict of interest. The application was approved for the subdivision of property with a 6-0 approval with Council Member Weistling abstaining.

REGULAR MEETING OF THE TOWN COUNCIL

Friday, June 25, 2021

MEETING HELD VIA TELECONFERENCE

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

Staff in Attendance:

Town Manager Tieman, Police Chief Devlin, Building Official Schuchman, Finance Manager Gary, Beach Patrol Captain Rykaczewski, Town Clerk Menominee

Others in Attendance:

Along with the Town Council and Staff, there were an additional 32 participants that called in to the meeting.

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1. President's Report - Mayor Langan

Mayor Langan reported that on July 13th, the emergency order from the Governor is going to expire. He stated this will make it easier to have Town related meetings, but no outside groups will be allowed to have meetings in the Villalon Hall yet.

2. For Discussion and Possible Action:

2.1. Reaffirmation of

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- Installation of Valves [Valve CAF.pdf](#) 
- Voter Roll List [Voter Roll Strike List.pdf](#) 

Town Manager Tieman reported that in the June 25th Regular Town Council Meeting, a motion could not be detected for the Installation of Valves/Mowing contract and the Voter Roll List.

MOTION to approve the mowing contract for the installation of valves.

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Moved by: Mike Houser

Seconded by: Gardner Bunting

MOTION passed.

MOTION to approve the Voter Roll Strike List.

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Moved by: Gardner Bunting

Seconded by: Mike Houser

MOTION passed unanimously.

2.2. Review of Fenwick Island 2021 COVID Recovery Summer Events

Town Manager Tieman stated that staff recommended maintaining the 2021 COVID Recovery Summer Events as it states now. She said the Governor will be lifting the Emergency Order on July 13th, but in March of 2021, the State of Delaware passed House Bill which established that food/drink establishments will continue to be able to allow to-go alcohol and outdoor dining. Town Manager Tieman stated that 17,400 food/drink establishment jobs were lost in the State of Delaware, which resulted in 13.8% of unemployment in that sector. In 2019, food/drink establishment jobs in Delaware were at 50,800, which represents 11% of total employment in the State. Between February 2020 and April 2020 Delaware lost 66% of their food/drink jobs, making it the 3rd highest in the nation for unemployment. \$160 million in sales were lost between April 2020 alone and were on track to lose \$700 million between March of 2020 and July 2020.

MOTION to reaffirm the 2021 COVID Recovery Summer Events Resolution.

Moved by: Mike Houser

Seconded by: Bernie Merritt

MOTION passed 6-1 with Council Member Carmean dissenting.

2.3. Discussion of reopening Town Hall

Town Manager Tieman stated that the Governor is ending the State of Emergency on July 13th which means we can start to conduct in-person meetings again at the discretion of the Mayor/Town Council. The lobby is open for people to conduct Town Business without having to maintain a higher level of cleaning. Staff recommends keeping the Town Hall running the way it is currently. Council Member Carmean disagreed and is ready to open everything back up. Council Member Weistling stated that there would be people visiting this summer from many places, he did not think it would hurt to play it safe for a couple more months.

MOTION to not reopen Town Hall.

Moved by: Mike Houser

Seconded by: Bernie Merritt

MOTION passes 6-1, with Council Member Carmean dissenting.

2.4. Pre-approval for FY 2022 purchase of additional valves-\$23,100

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[Image 009.pdf](#) 

Town Manager Tieman requested pre-approval for the purchase of additional valves valued at \$23,100. Public Works was able to replace the first 11 valves and would like to continue working on the additional valves while the weather is accommodating. Town Manager Tieman stated that Public Works had a plan in place through July and August to do as many as they can as fast as they can.

MOTION to approve the purchase of the valves.

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Moved by: Vicki Carmean

Seconded by: Richard Mais

MOTION passed unanimously.

3. Approval of Minutes from May 28, 2021

[5-28-21 meeting minutes.pdf](#) 

MOTION to approve May 28, 2021 meeting minutes.


Moved by: Mike Houser

Seconded by: Gardner Bunting

MOTION passed unanimously.

4. Treasurer's Report - Treasurer Bunting

[Treasurer's Report.pdf](#) 

[Image 001](#) 

Treasurer Bunting reported that \$75,705 was collected in RTT, which brings the Town to \$902, 522.54 or 451.26% of the operating and capital budget. He also reported all of the outstanding property taxes have been paid.

MOTION to approve the Treasurer's Report.

Moved by: Vicki Carmean

Seconded by: Mike Houser

MOTION passed unanimously.

5. Town Manager's Report - Town Manager Tieman

[Town Manager's Report.pdf](#) 

[Image 002](#) 

Town Clerk Menominee stated absentee ballots will be available next week and the new absentee ballot box had been installed on the police station

steps. If you would like to vote absentee, you must first fill out an absentee ballot request form which can be mailed, picked up or emailed.

6. Department Reports

- 6.1. Building Report- Building Official Schuchman # - #

[Building Report.pdf](#) 

Building Official Schuchman stated it was a very busy month for the Building Department. She also wanted everyone to know that there were no plans for a WaWa or hotel at the new PNC building.

- 6.2. Public Works Report- Public Works Manager Locke # - #

[Public Works Report.pdf](#) 

- 6.3. FIBP- Beach Patrol Captain Rykaczewski # - #

[FIBP Report.pdf](#) 

Town Manager Tieman stated that the Beach Patrol has had an active year already. They also received their USLA certification and were congratulated for getting a great team together.

- 6.4. FIPD Report- Chief Devlin # - #

[FIPD Report.pdf](#) 

Chief Devlin reported that there was a shooting incidence on W. Atlantic Street, no one was injured and the suspects are in custody. Chief Devlin thanked the residents of W. Atlantic and the surrounding jurisdictions for their help in the matter. He also wanted to remind everyone that for minor incidents please call the on-duty police cellphone. It will not be a bother to the police even if you have a public safety issue to report. They are there to serve the public 24/7. Chief Devlin reported that part of their body camera program, they have discovered data that allows them to track every single car that was stopped in Fenwick Island and will be able to track every single body camera that is activated.

7. Committee Reports

Ad-Hoc Commercial District Planning Committee- Vice Mayor Mais stated they would like to submit something at the next meeting and would like the Town Council to approve an upcoming public workshop.

Charter & Ordinance Committee- Council Member Bill Weistling reminded everyone why the Ad-Hoc Commercial District Planning Committee was formed in the first place and there are no plans to increase commercial height limits. He also said that there are no plans to allow shuttle service. They would like to strengthen the wording of the ordinance in place.

Business Committee- Tim Collins wanted to thank everyone for their support with the ad, it has been very well received.

Sidewalk Committee- Council Member Carmean stated that the legislature is in session. She said to stay tuned until the State budget is finished.

Infrastructure- Secretary Merritt stated that the MOU has been accepted by Freeman with some changes, but it will come back to us.

8. **Old Business**

Council Member Carmean had a chance to go into the Royal Farms store. She commended them on the renovations. She also commended Warren's Station for the porch addition.

9. **New Business**

Secretary Merritt needs a potential excuse for the next Town Council meeting.

MOTION to approve Secretary Merritt's absence at the next July Town Council meeting.

Moved by: Richard Mais

Seconded by: Gardner Bunting

MOTION passed unanimously.

10. **Upcoming Events and Meetings:**

10.1. June 29th- Budget Meeting @ 9am

10.2. June 30th- Budget Meeting @ 9am

- 10.3. July 5th- Town Hall Closed- 4th of July
- 10.4. July 8th- Voter Registration Deadline @ 4:30 pm
- 10.5. July 23- Town Council Meeting @ 3:30 pm

11. Public Participation

The Public Participation segment of the Council Meeting is the time that the Town extends the opportunity to the general public to share with us your questions, thoughts, comments, concerns, and complaints. The Council is allowing 30 minutes for public participation during this meeting. Those wishing to come forward to take advantage of the Public Participation segment will be provided two (2) minutes. While Town government is interested in taking appropriate action, current FOIA laws prohibits Town Council and Town officials from engaging in discussion of any comments made or taking any action.

Amy Kyle, 1205 Bunting Avenue- Ms. Kyle stated that it is very hard to hear and follow along with the meeting. She was also concerned about comments that were made at the June Town Council Meeting regarding FISH.

Jacque Napolitano, 2 E. James Street- Ms. Napolitano also expressed concern in not being able to hear the meetings. She questioned whether the Town Council meetings were going to be open to the public.

Gail Warburton, 10 W. Farmington- Ms. Warburton found it disturbing that public participation was not asked in regards to opening up the Town Hall and on the Summer Resolution. She cannot understand why this would continue when restaurants are doing well. She also said there were some things in the Ad-Hoc Plan that were suggestions and they should be mandatory.

Janice Bortner, 1303 Schulz Road- Ms. Bortner wondered if the sign could post the deadline for the voter registration and the Town election. She also wondered if the sign could post the FISH Meet the Candidates event. She also thanked the FIPD officers for responding to the shooting. She was also concerned about the over-commercialization of Fenwick Island.

Jackie Wright, 1213 Schulz Road- Mrs. Wright said that there is a property being built next to hers that had foam pallets delivered that have been blowing around. She questioned if there is a way to get the site cleaned up.

Paul Breger, 1707 Bay Street- Mr. Breger was happy to hear Council responding to people's comments during Public Comment.

Jim Simpson, 1 E. Lewes Street- Mr. Simpson is concerned that residents keep coming back to the same issues that the Town has put a document out stating they were against.

Mark Tingle, 1605 Coastal Highway- Mr. Tingle found the incident very shocking that had happened on W. Atlantic Street. He said he developed a new level of respect for Chief Devlin and FIPD because it is not a situation that they deal with every day. He congratulated Chief Devlin and the FIPD for a great job well done.

12. Council Comments

Secretary Merritt stated he would like to become a member of FISH.

13. Executive Session

For preliminary discussion on site acquisitions for any publicly funded capital improvements; strategy sessions, including those involving legal advice or opinion for an attorney-at-law, with respect to collective bargaining or pending or potential litigation; discussion of the content of documents, excluded from the definition of "public record"; and personnel matters in which the names, competency and abilities of individual employees are discussed. Pursuant to 29 Del.C. § 10004(B)(2), (4), (6), & (9).

14. Adjournment

MOTION to adjourn.

Moved by: Vicki Carmean

Seconded by: Gardner Bunting

MOTION passed unanimously.